

**BOARD OF PARKS AND RECREATION
CONSOLIDATED CITY OF INDIANAPOLIS**

September 25, 2014

The meeting of the Board of Parks and Recreation was called to order by Chairman Williams, Thursday, September 25, 2014, at 3:45 p.m. at 200 East Washington Street, Public Assembly Room, 2nd Floor – City County Building, Indianapolis Indiana 46204.

Board Members Present: Chairman, John Williams, Mr. Joe Wynns,
Ms. Anne Valentine and Mr. Josh Bowling

Staff Present: Louvenia Holstein, Board Secretary
Suzanne Martin, Assistant Board Secretary
Doug Kowalski, Deputy Corporation Counsel

Directors Announcements:

Chairman Williams greeted the Board and the audience and he welcomed them to the Board of Parks and Recreation and stated he is John Williams, the Director of Indy Parks and he appreciates so many people attending from the community in the audience today. Before we get started he has a couple of things he would like to address. First, as part of the Directors comments here, this coming week, September 29th, in cooperation with the National Forum for Heart Disease and Stroke Prevention, in Indianapolis we are going to have the First Lady, Winnie Ballard, host the first major US based World Heart Day event this coming Monday starting at noon at Presidential Place Park which is located right downtown, across the street from the City-County Building on Washington and is actually right across the street from where the Mayor announced the new transit hub going in place on Washington Street as well. Garry Bracket, Mary Ann Glick, Tina Pagano, National Forum's John Climber and others will join Mrs. Ballard on a one mile walk to highlight the leading causes of death, which for Hoosiers, is heart disease and ways to prevent heart disease. The World Heart Day is in partnership with Indiana University Health, Dennison Parking, IUPUI, CVS, Indy Parks and the Walk with Winnie Series. This is a no-cost event so if you have an opportunity to come out we would appreciate it. There will be some T-shirts available and they will surely go quickly so if you register you may be able to receive a T-shirt and a water bottle for your participation and these will be given out on a first-come-first-serve basis event. To register it is really easy and it is free of charge go to www.indy.gov/heartwalk. Before we get started with the agenda items he wants to briefly communicate how specifically with respect to the discussion on the overpopulation of deer at Eagle Creek Park. What we are going to do is have staff, he's sorry, individuals if you haven't already done so, sign in whether you are pro or con on this subject and we will give you a couple of minutes to speak on behalf of the issue. If you are part of a group, he would prefer that you delegate a group representative to speak on the groups behalf and please if you are going to comment, keep your comments as brief as possible. If you are repeating information that has already been stated then he probably will interrupt you so we give everyone an opportunity to give comment that hasn't otherwise been given. If you would also pay attention to the light it will be set for no more than 2 minutes for each speaker to

give their comments and he would again reserve the right to interrupt you if you are giving the exact same comments that have already been given.

With that, we have been given a statement from the City-County Council Parks Committee that the Board secretary will read. (Please see the attached copy of this statement).

Approval of Minutes: July 24, 2014

A motion was duly made by Ms. Valentine, seconded by Bowling, and unanimously passed to approve the minutes from July 24, 2014 Indy Parks Board meeting.

New Business

1. Agenda Item #29, 2014 – The Resource Development Division staff and the Greenways Development Committee recommend that the Board of Parks and Recreation for the Consolidated City of Indianapolis, Indiana acknowledge Indy Parks Director the authority specified in Municipal Code (Sec. 631-102) to extend the Greenway Trail hours by means of the Director's "written order" and approval from the Parks Board to further support the extension of said hours from 5:00 a.m. to 12:00 a.m. eastern standard time, for all Greenway trails for non-restrictive use as identified in the Indy Greenways Full Circle 2014-2024 Master Plan.

Don Colvin, Deputy Director, Resource Development greeted the Board stating that he is here today not only representing the Resource Development of Indy Parks but the larger bicycling community and other users of the trail not only for recreational purposes but for commuting to work, to shopping centers, to schools and other important things important to us in our community. What we are asking here is for a temporary extension of Greenway Trail hours from 5:00 a.m. to 12:00 a.m. (midnight). He stated that he wants to clarify that this doesn't pertain to Indy Parks internal trails which are trails within the individual Indy Parks, these are the internal park trails and these are not considered the major Greenway Trails. What they are referring to are the Greenways Trails which are called out in the 2014 Greenways Master Plan each one of these trails has a semiology that indicates it as a recognized Greenway Trail. These trails are important. They have over 100 miles of bicycle lanes which have recently been built in the City of Indianapolis and they are continuing to add more. What presently happens if you have been at work all day and you want to commute home and daylight passes into dark, you would then have to leave the Greenways trails? You cannot be using the Greenways Trails. You would have to use the streets. They feel it is safer for users to be on the Greenways Trails with less conflict with motor vehicles. They do expect that all bicycle users will use the proper gear recognized by the State of Indiana and their Transportation Department with lights, reflective services and body reflective material on their bikes and that they would strictly stay on the trails as a commuting corridor and not use that trail or off property or anything else. They think it is time. They just completed the Greenways Trails Master Plan and they had enormous amount of public support and interaction with over 30 public meetings. They had different voices participating on this and basically the requests were "when are you going to build our trails".

They responded that they are going to continue to build the trails. This plan shows over 200 plus miles of new trails. It is not going to happen tomorrow. It could happen over the next 20 years as funding finally becomes available. Indianapolis has matured as a city that first built the Monon Trail years ago; people were very hesitant of having a trail in their backyard. They are very sensitive to those concerns. They truly have matured as a City in many different ways but particularly in our connectivity and our Greenways and our bike lanes. They think it is now time, at least in a temporary basis, to expand those hours again from 5:00 a.m. to 12:00 a.m. and then study this. They have over 10 years had a contract with IUPUI where they monitor our Greenways Trails and they can actual give us user counts of the number of users on the trails, time of day and time of season so they can really track the volume of users on the trails. They are not proposing to light the trails at this time. If, in the future we obtain certain grants become available they would first look at street intersections and then go on. The challenge would be to light the entire trail system. They have over 63 miles of trails already built. It would also be the ongoing cost and maintenance of the lighted trails. Many of the trail users are asking for these evening hours and are very comfortable with the equipment on their bikes and reflecting gear that they have and they are not requesting for use to add lighting to the trails at this time.

Corporation Counsel representative for the Board of Parks and Recreation, Doug Kowalski, asked to make a point of order. He stated that as you know, we tabled this motion on this item from the last Parks Board meeting and in our discussion with the public they reviewed the law and it is his opinion that because this is a general rule change it would be governed by Municipal Code Sec. 631-204 Section E of codes or rules and regulations that we need to have ten (10) days prior notice to this hearing and post the proposed rule change in the council office which has not happened at this point and even though we have a lot of discussion with the public and we received a lot of feedback. He would advise that we give the proper notice as required by the code, however at this time, as has been done in the past, Subsection F of the Code allows for an emergency rule change which has been done on the Fourth of July and other events for one-day change, that the Board approve an Emergency Rule Change which would be effective upon approval and would be good for forty-five (45), days, correction... it would be good for up to ninety (90) days and would give us enough time to give the notice and the proper hearings as required by the code.

Chairman Williams thanked the Corporation Counsel and stated that he thinks it is a good idea for us to consider this and he thinks as Don stated before, based on the last Parks Board meeting they had a lot of conversation about different things that we should look into such as lighting and this gives us an opportunity to evaluate whether or not as originally proposed the trails should go to 24-7. He thinks this is a good compromise to make sure that we extend the hours to accommodate those who are actually riding on the trails to commute to and from work and it also gives us an opportunity to continue our research looking into what other communities are doing and the probability of incorporating something similar to these here in the City of Indianapolis. With that.... He would entertain a motion, or do we have any comments from the Board first of all?

Mr. Wynns stated that he has just one comment. He is a cyclist, he is not a bike racer but the things here he was hoping to study is that we look at the views from the neighbors to the trails. This is one of the concerns that he is not so sure that they are comfortable having someone in their backyard at 11:00 o'clock at night or early going to work or what not. The

other concern he has is the curfew for young kids of 11:00 o'clock and these young kids are others to be on these trails and we need to make sure that our hours are in compliance with the curfew hour. We do not want to encourage kids to be out there. Because they will be. He applauds the movement. He applauds taking some time but he thinks the homeowners having to live next to the trails and he believes the cyclists need to take into consideration they may be perceived as an intrusion to these homeowners where the trails run by their homes and cyclists are coming and going at all hours of the night and day. He believes the public meetings will be great so those neighbors of the Greenways Trails can have these discussions.

Chairman Williams asked if there were any other comments from the Board members. Mr. Bowling stated that he just would like to echo some of the things Mr. Wynns stated and in addition he would like to say he really does consider our Greenways Trails as part of the City's infrastructure and while he agrees these trails are around neighborhoods and the City doesn't restrict people from walking on the City sidewalks at night and these trails are just an extension of the City's infrastructure so we shouldn't limit them to certain hours just the same as we don't limit our sidewalks to pedestrians in alley, streets so we shouldn't limit this one area of our infrastructure. His question though would be if we pass this as an emergency now, is there anything from still doing the 24 hours more formally. Chairman Williams replied that it is their understanding that there is nothing to make it the 24-7 after going through the proper rule making process.

Mr. Wynns stated that he has one other thing to add and stated that it would be off the record so I am leaving his comments out. Joe stated that he wants them to look at all the pieces.

A motion was duly made by Ms. Valentine, seconded by Mr. Bowling, and unanimously passed to approve Agenda Item #29, 2014.

2. Agenda Item #30, 2014 – The Resource Development staff are recommending that the Board of Parks and Recreation for the Consolidated City of Indianapolis, Indiana approve the adoption of a resolution allowing for the discharge of firearms by individuals authorized "By Contract" with the Indianapolis Department of Parks and Recreation in Eagle Creek Park as permitted in Municipal Ordinance allowing for the discharge of firearms in Eagle Creek Park as identified in Municipal Code (Sec. 631-108. Discharging Firearms).

Don Colvin stated that before he begins his presentation item he would like the Board and the audience to view a video he brought. The video was shown to the audience. Don stated that he would like to show a couple of other pictures which will help us understand the situation we are now facing and why they are bringing this to the Board for their consideration. He stated that he showed this map at the presentation they had on September 11th at the Colts Complex for the neighbors and public to attend on this topic as well as at the Parks Committee meeting last night and it is informative from a scientific point of view. Most wildlife biologists have a recommendation of a healthy bio-diverse eco system or environment landscape anywhere between 15 to 20 deer per square mile. What you have on the east side of the reservoir there is approximately 2 square miles and on the west side of the reservoir there is approximately 2.2 square miles of land and if you follow the general

guidelines that are prepared by wildlife professionals who when to college and are educated and practice this on a daily basis throughout the State of Indiana as well as throughout the country, these are their guidelines, not the Department of Parks and Recreation. If you look at this they have 2 square miles on the east side and their recommendation are 15 deer, they should see about 30 deer on the low end on the east side of the park and 30 deer on the west side. If you go to the high end of the recommendation then you should have 20 deer on the east side and 20 deer on the west side so a total of 80 deer maximum in the park. As the person who was in the video clip mentioned the number of deer that they counted and seen and we have had many others, guests, first time visitors to the park, as well as regulars and park volunteers as well as our professional staff and naturalists who are at the park have done visual counting which far exceeded the 15 to 20 deer per square mile count so this is one basis.

Don asked to see the next slide. Don stated that there has been a lot of confusion of what is a healthy deer. They heard a lot of comments that the deer in Eagle Creek Park are healthy so he thought a comparison would be informative for us. The picture of the deer on the left was taken on the day of the public meeting they had at Pike Township on September 11th and you can see the rib cage of that deer and you can see the blowedness of it and you can see how weak the back hind legs are and if there was a little sharper image you could see the neck is not as thick. In the picture on the right those deer are not from Eagle Creek park and that is really what our deer at the park should look like and you can see the buck in the background with a fullness of the chest, the hind quarters and the buck with a full rack and shows that they have a high eco system that they are feeding off of. These healthy looking deer is what we are striving for. We are trying to be as humane as we can with the deer. If we continue down the path that we are now and have been going down for the last 20 years, the deer you see in the picture on the left hand side of the slide will die of nature causes of starvation, harsh winters, disease and they will be mal-nutritioned. The reason we are seeing so many deer is because they are constantly feeding. Typically you would only see deer early in the morning and late in the evening. You see deer at noon time in our park. Our deer have almost become zoo-like and pets. There are potential conflicts with the guests because they are literally able to feed them from their hands. There has been a lot of discussion that there is no impact on the vegetation from the abundance of deer that we have at Eagle Creek Park. The picture on the right you can see no vegetation on the ground plain at all and you can just see some larger trees and just see some very spindly over shaded weak trees which would be the future forest. This picture was taken right outside the Earth Discovery Center. The picture on the left was taken at Holiday Park and if you would go up and look closely at that, you could see all the ground vegetation in front of the large oak tree and then you can see as you go up the embankment all the vegetation that is covering that ground plain on the hillside at Holliday Park and in the Spring that is a full bouquet of perennial flowers that are occurring in that park naturally.

In another 2 pictures you see on the left side along one of the trails against the heavy shade is what the forest should look like and both these pictures are at Holliday Park, you really shouldn't be able to see through the park. At Eagle Creek Park you can see 1,000 feet into the woods there and in other areas where you are not see 1,000 feet into the forest you see a browse line basically from the ground plain basically of where the deer have fed and they are constantly feeding and keeping the vegetation out. He had planned on providing another side that he showed to the public on September 11th was of Eagle Creek Park showing no

ground plain and the other slide looks like it is a health environment but to the trained eye what it is was spice bush and pawpaw and these are the least desirable plants for the deer to feed on. And they are actually so hungry they are now feeding on these plants. If you can find any of the deer normally desirable plants, they are either totally missing or they have been browsed on so frequently that they will never have a chance to come back and replace in the future forest. As a City, we are faced with the Emerald Ash Borer and we could lose a very high percentage of our natural ash trees in our forests. What we need to be doing as land managers is making sure that we are protecting our natural environments and the biodiversity in our natural environment for not only our present generation and guests in the park but for our future generations. If we eliminated all the deer today at Eagle Creek Park today it could be 10 to 20 years before those environments recover and some of them even if they could recover back to their pre-deer impact conditions. There was a study by Jenkins who uses a plant studies and the reason why it is extremely difficult to count the number of wildlife by most wildlife biologists in an open environment. You could tag a deer and say you counted that one and in an hour later that deer could be somewhere else. This is very difficult. The standard practice by environmental professionals is to use plant communities that study plant habitat and the preferred plant material that the deer feed on, so if those are existing in a lot of diversity then we have a healthy environment for supporting not only the deer, the reptiles, the birds and the native vegetation in that environment. When the deer's preferred foods are eliminated or browsed to the point that they never mature to a full plant size to reproduce by seed then that is when we know we have an impact and the impact is caused by an abundance of a particular animal that is causing that. We do have, today, later on, if the Director so desires, we have experts from the State Department of Natural Resources and the US Department of Agriculture. We have experts from nature preserves and many other guests that will speak today that are really the folks that deal with this on a day-to-day basis and implement these plans and these programs throughout the State of Indiana.

Back to the project at hand, the Director is asking the Board to support the implementation of the Eagle Creek Park Deer Management Program and will only allow a contract with a professional wildlife management specialist that shall manage all aspects of the project in a tightly controlled and supervised program with the public safety as its highest priority. The initial deer reduction program activity shall occur sometime in the months of October 2014 through the months of January, 2015. The long term goal of the deer management program is to manage the effects of the white tailed deer on the plant and wildlife habits at Eagle Creek Park using several wildlife management methodologies approved by the Indiana Department of Natural Resources to bring the current impact of resident deer into the balance with the carrying capacity desired species diversity in the park. Clearly what we are asking the Board at this point is the approval to empower the Director of Indy Parks approval of the release of discharging firearms only at Eagle Creek Park. This is not giving permission to release firearms in any of the other City parks. It is requested specifically for Eagle Creek Park, only Eagle Creek Park, and only under the professional service contract situation. We are not talking about opening this up to the general public and let the public come in and do a hunt like the State parks. It is a very specific thing but the Board does have the authority to approve the discharge of firearms under their authority. Upon the Boards approval of allowing the discharge of firearms only at Eagle Creek Park, then the Director under his authority can enter into a professional service contract to enter into a long-term deer management program.

Chairman Williams thanked Mr. Colvin and asked if the Board had any questions or comments. Mr. Wynns stated he had one question. "What was the purpose of the letter from the Parks Committee?" He knows that the Board Secretary read the letter and he thought he heard something in there that the Board's vote would be premature. Director Williams replied that he cannot speak to the Committee's motive or why they wanted to, or why they stand on the issue the way that they stand, all he can do is say that they wanted to make sure that the Board understood their position. Director Williams stated that this is all he can speak to. He can't speak to what their motive is behind this letter. Mr. Wynns asked "In that letter are they, for his point of clarification, are they for it or against it?" Ms. Valentine stated that she believes that they simply request that the Board delay a vote. When the Board Secretary read the letter her voice went down on that word and simply asked that we delay a vote. The Board secretary stated that she would let the Board's counsel respond to that question.

Doug Kowalski, Assistant Corporation Counsel and Counsel for the Department of Parks and Recreation and its Parks Board stated that in paragraph 1 of their letter he believes that that the Committee doesn't believe that the standard has been met to go forward with the Deer kill and that the Board should not approve a hunt unless the Board believes that that standard has been met. This could be met tonight, they just stated that this standard should be met and this is his reading of it.

Chairman Williams asked if there were any other questions from the Board for Don or any of the other professionals mentioned. Mr. Wynns stated that he would like to hear from some of the professionals. Don stated sure, Don asked Chad. Chad came to the podium and Chairman Williams asked him to state his name and professional capacity is. Chad stated that his name was Chad Steward; he is a deer biologist with the Indiana Department of Natural Resources, Division of Fish and Wildlife. Chad stated that he would be happy to answer any questions on the agencies stance as it pertains to deer management, hunting or anything that comes up over the course of these proceedings. Chairman Williams recognized Board member, Valentine having a question. She said she was just curious. Eagle Creek Park compared to the state parks that DNR has conducted deer hunts in, as a similar deer management program, are you able to tell her comparable deer population size at Eagle Creek and what has been seen in the state parks prior to this deer management program being put into place? Chad replied, yes, the reports that he has seen based on previous research by Purdue professionals, when they instituted the first hunt in 1993 in Brown County, they had that understory classified as a severely damaged understory. There was a noticeable browse line and the only thing that was growing was unpalatable vegetation or browse insensitive species. The recent report that he reviewed by Dr. Jenkins which he believes was conducted just last year at Eagle Creek Park had the very same classification of their understory. He would say that they were very similar at least as far as those 2 parks are concerned. Ms. Valentine then asked of what DNR has seen in the state parks with the deer management program, for example the understory has come back, and through the deer management program they have been able to see progress in that area? Chad replied, yes. Dr. Jenkins, the same researcher, has published along with one of his grad students, he believes it to be 2 to 3 years ago, he re-did the surveys that were initially done and they found that they actually experienced a 6 fold increase in the number of seedlings in the state park compared to when it was first performed prior to 1993. There were tremendous

response from browse sensitive groups of those plants and some of the exotic species that they had previously documented had now decreased and they attributed those to the state park deer management program. Chairman Williams asked if there were any questions or comments from the Board. Mr. Wynns asked Chad if he was familiar with the deer culling down in Bloomington, Indiana a couple of weeks ago. Chad replied that he was quite familiar with Bloomington. Mr. Wynns asked how that went. He believes this was probably a similar situation. Chad replied that the Bloomington situation is actually quite similar. There was an Indiana University researcher that built enclosures in the IU Research and Teaching Preserve right next to and within Griffey Nature Preserve and they documented similar impacts where deer were excluded from those sample plots and the vegetation responded and grew dramatically whereas it remained very suppressed outside where deer had access to the open uncontrolled plots.

A gentleman from the public asked the Chairman if he could ask a question of this professional. Chairman Williams stated that this is not a public hearing but if you have a specific question for this professional then he will allow you to ask the question. Chairman Williams also asked the gentleman to step up to the microphone and identify himself. The gentleman stated that his name is Keith Starling and he is with himself he is not with a group. Mr. Starling reaffirmed that their conversation was regarding the hunt in Brown County, the foliage had just come back and the browse line from the one hunt in 1993? Chad responded to Mr. Starling's question by saying that the hunt in 1993 took almost 400 deer with just that one year. The vegetative community did respond over time so that park was hunted repetitively and he doesn't have the number of years but most years since then as it has been continued the vegetation has responded accordingly over time.

Mr. Starling asked Chad if the solution to the problem has to be repeated on an annual basis otherwise it is really not a solution. Chad replied that once you get into deer management of any kind it really needs to be continued otherwise the deer in urban areas are non-hunted they are so long-lived because of the absence of predators and so able to reproduce so quickly they will return to higher levels so you must continue management.

Chairman Williams added for clarification from the Parks Department perspective, we have never continued that we would just do one specific thing and that is it. What we are proposing to do is have a deer management planned program in place. We are simply stating that the our initial approach is to try to bring the heard down to a level that we believe is managed or give us the greatest opportunity to manage. Once we get to this point, as Don had mentioned earlier, the plan then will consider alternatives to a hunt to make sure that we are managing the heard appropriately but as this gentleman has stated any deer management plan will have to have a long term look at what you will be doing to make sure that the heard is being managed. This could result in a number of years of deer culling's or it could result in other means in which to keep the deer to a manageable level and as we move along we believe that we are at a point now where the forest and the park has been so degraded that we have to make a decision and we can't go on another 10 – 20 years without addressing this issue because the longer we wait, the longer it will take to get the forest recovered. If we don't act now, as Don has stated earlier and take it a step further and speak about the emerald ash borer, we tend to loose between 10 to 30 percent of our woods out there because of the emerald ash borer, and if we do not attempt to control the problem that we view we have out here with the over population of deer, and the emerald ash borer,

we may have other species of trees that are affected and we may be unable to bring our forest back to a healthy forest and which initially effect the other ecology that we still have out there not to mention our drinking water from the reservoir.

Mr. Starling came back to the microphone and stated that” should not then the accurate cost to the taxpayer be reflected for a long term 10 to 20 year hunt in the park as opposed to the initial seed money. Chairman Williams replied that we can only address what is happening in the current fiscal year because what you are talking about sir, quite frankly is that we don’t know what that cost will be until we get to that point. There could be a variety of things that we do to mitigate that cost and it depend upon what the management plan will entail and that could mitigate what that ultimate cost will be but to speak plainly, there will be a cost associated with this plan. But we have weighed that idea since the cost of managing the property and managing the assets is well worth it when you look at long term health of the park and long term probability should we not do anything that we would spend an extremely large sum of money to try to bring this park back into balance.

There was a member of the audience asking to speak and Chairman Williams announced that the public will be given an opportunity to speak briefly in just a minute but for the sake of time if there are any other questions from the Board for a specific member of the professional community that we hear those first and then we will get to the audience participation and their comments.

Mr. Wynns stated to Chairman Williams that he would like to hear from all the professionals because this is a very sensitive decision that they are being asked to make. Mr. Wynns stated that he would like to hear from all the professionals here to speak about wildlife, deer, ecologists regarding the eco issues to have a ground of information since this is a critical decision for them to make.

Mr. Colvin stated that he would like Chad to also speak a little bit about abundance of populations and the scientific methodology point that needs to be discussed and he knows this is Chad’s area of expertise and after Chad speaks on this, then he would like to invite up some of the other experts . Don stated that he would like to invite up Tom Swinford, who is the Assistant Director of the Indiana Department of the Natural Resources Nature Preserves.

Chad added that for the state parks they have never conducted a count and they have never conducted a population estimate, those things take time, and they cost money. Back in the early 90’s they realized that habitat was really degraded and they didn’t want to prolong any other decision or action and they based their decision on management and this is how they manage their state parks. They try to support a healthy and diverse ego system and whether this is one animal that is effected in that or 1,000 or 10,000, the focus is always on the habitat and they have made that decision and they have been actively hunting in the state parks since 1993 every year except for 1. Over that time, over 31,000 deer have been removed by licensed hunters. Every park still has deer in it. They have never extirpated or extinguished a deer population from any of these parks because there is still the opportunity to see these deer. They have been very satisfied with the results of our program so far.

Chairman Williams thanked Chad for his comments. Don Colvin introduced Tom Swinford, the Assistant Director for The Indiana Department of Natural Resources Division of Nature

Preserves. In the Division of Nature Preserves they have over 2 decades of experience in implementing deer managing hunts for forest health and responsible deer herd management on public lands throughout Indiana primarily within the state parks and nature preserves. Specifically what he would like to speak on is the significance of the natural areas at Eagle Creek Park. They have 2 state dedicated nature preserves with the park boundaries which recognize the values of these forests. They have 2 high quality examples, one is the type of flat woods, characteristic of central Indiana and one is on the west side a very rugged and excellent example of a high quality near old growth woods that they largely owe to the legacy of the Lilly estate. We are stewards as the City of Indianapolis of 2 State significant nature preserves on the site that have been recognized not only by the State of Indiana but by international groups. Such as the Nature Conservancy, Audubon Society as an important bird sanctuary and in central Indiana, in the Corn Belt we don't have large forest blocks truly Eagle Creek Park is one of central Indiana's significant forest block. It is a big target of green where they have a mostly converted landscape so, we are the stewards of that and this is the significance of our forest stance out there. He would like to briefly address what is really a striking example of what you hear again and again how these deer are changing the whole eco system but there is really a very simple way to look at this and Don and others have already touched upon this which is that the deer preferably browse on specific plants and one plant that they browse on, and they single out because they are so nutritious, is oak seedlings. In Indiana and especially on many of our public lands we are having oak tree regeneration is not occurring. Oaks are considered by ecologists as a foundation species within our forests. They are long-lived they have disproportionate value to wildlife. Not just the deer and turkey that eat the acorn, many other species, flying squirrels, Owls, woodpeckers that are dependent upon oaks not only for their acorns but for their roosting forage and the leaves. There are more species of moths and butterflies that live on oaks. They have a disproportionate value and there is no oak regeneration in Eagle Creek Park. You can go through these parks and he challenges anyone to go through there and find young oak seedlings.

Now, speaking of those future forests, we are going to have a forest that due to all that browsing pressure will be shifted towards more bitter less nutritious often thorny plants with that future forest and not replacing the oaks, this will have profound implications down the road because they are a foundational species. This is one of the most clear ways we can talk about how oaks shift our forest composition. He thanked the Board for allowing him to present them this information.

Chairman Williams asked the Board if they have any questions for Tom. Ms. Valentine asked him to speak to on the similar question that she asked earlier of Chad. Ms. Valentine stated, like you have seen in the State parks through the deer management programs what types of change have you seen through this implementation of this program. Tom replied that the nature preserves we are primarily community biologists and study the overall habitat managers and he really feels that it has been a strong success. With every study they feel very confident that responsible deer reduction herd management results in healthier forests and recovery of all those plants that we are so concerned about as well as all the animals dependent upon those plants.

Mr. Colvin stated that he has 2 representatives here from the USDA. Mr. Starling interrupted and stated that he felt that the 2 minute limit for speaking had been exceeded with the

previous professional's statements and the public should be able to exceed the 2 minute limit as well. Chairman Williams replied... point well taken. Board Counsel, Mr. Kowalski then stated to Chairman Williams that as a point of order this is a Parks Board meeting, and it is not a public hearing, so the Parks Board can direct the meeting as they see fit. If they want to allow the professionals to speak longer then they can direct it as they want unless you want to impose that. Chairman Williams stated that he stands corrected. Chairman Williams asked the Board members if they would like to hear whatever they can from the professionals. The Board members responded "yes" and Chairman Williams asked the professionals to proceed.

Mr. Dan Young, Wildlife Biologist with the United States Department of Agriculture and Animals Health Inspection Services area and he can speak primarily on the implementation of the sharp-shooting program for deer removal and their agency conducts deer reduction activities in several areas for a number of years now across the nation and they operate in a variety of environments with public safety being the number one concern and their personnel are actually certified NRA instructors or certified in the actual use of firearms and they have many safety protocols to ensure that they are safely and efficiently removing any deer that they are targeting.

They have removed hundreds of deer in Indiana alone and with everything that they do the focus on safety first with the use of firearms requires additional safety procedures at all times. They are always developing protocols that ensure safety and proficiency. In regards to the deer management program that was alluded to earlier, that will have to be evaluated and adjusted every year so, it will be a living document. Dan asked the Board if they have any other questions for them.

Chairman Williams said he does, one that came up last night at the Parks Committee Meeting. Chairman Williams asked about the safety from the projectiles discharged from a high powered rifle. Have you had any incidence from a resident nearby was injured or anything like that? Dan answered, "absolutely not". Chairman Williams thanked him.

Ms. Valentine asked Dan how long have deer management programs like this been in place or that you have been involved with say, within the last ten years to give some perspective on maybe how far behind we are.

Dan replied that their agency, nationwide has been doing this for decades. In Indiana they have been conducting deer management programs for the last couple of years and they have had absolutely no issues whatsoever. Mr. Wynns has just one quick question. With the removal of the deer, they will not be dressed on site, is that correct? Dan answered "that is correct".

Mr. Colvin stated that he has one more professional guest here to present to the Board his information Mr. Tim Julien from A & T Wildlife Management Services. Mr. Julian introduced himself to the Board as the owner of A & T Wildlife Management Services (Tim will oversee the Deer Processing and Wounded Warrior Outdoors Program) and stated that they started their company in 1993 here in Indianapolis. He also stated that he started and founded and was president of the National Wildlife Control Operators Association which was founded and incorporated here in Indianapolis in 1999. This group is a group of private companies that

manage wildlife and do damage management control. He started his time here in Indianapolis and was stationed at Fort Harrison and was the Operations Director until it closed and he has been very involved with management deer hunts at military installations for quite a while. In 1979 he started in Europe where he learned the European management of the US military properties there. He then retired in 1988 from the army. In 1985 to 1993 he helped or wrote the deer management or hunting management plans for Fort Harrison, now a State Park. He worked some at Camp Attiberry, all very sensitive environments. And to answer the question asked earlier, of the others, he hasn't had any accidents or incidents. If you have any questions he would be happy to answer them. As far as the removal of the animals he has planned to remove them offsite and all the meat will be processed majority will be through Hoosiers for the Hungry. In their proposal, and there is so many variables to a hunt that you have to follow State of Indiana laws and deer hunting rules. He really doesn't know, based on your voting what they will or will not be permitted to use. They have about a 20% window that they hope to be able to donate back to the parks. Chairman Williams thanked Mr. Julian and asked the Board if they have any questions for Mr. Julian.

The Board had no other questions. Chairman Williams asked if Mr. Colvin had anything else before he opens it up for the public to comment. Mr. Colvin stated he did not.

Andy Stevens, Indy Parks staff member read the names of the public who were in attendance that signed up to speak briefly (each person was told that they had 2 minutes to speak either for or against this this Agenda Items #30, 2014 (Allowing for discharge of firearms by individuals authorized "By Contract" with DPR in Eagle Creek Park) which has been presented to the Board of Parks and Recreation for approval:

Public Comments were allowed 2 minutes each to present their comments on the above-mentioned subject to the Board and were introduced from lists compiled by Indy Parks staff of those people from the audience who acknowledged they were speaking either for or against this item being approved by the Parks Board. Mr. Stephens called individuals alternating either "in favor" or "in opposition" of Agenda Item #30, 2014:

IN FAVOR	IN OPPOSITION
Richard Aikman	Majorie Fadely
Sue Arnold	Keith Starling
Steve Chappell	Jennifer Jones
Nancy Herrin	Erin Hwang
Donna McCarty	Kelly Pfledderer
Judy Brown Fletcher	Margaux Oliver
Don Gorney	Joanne Hamilton (McAnna)
David Pyle	Wayne Peavler
G. Dyer	Ed Hopper
Mark Summers	Lyn Berling
	Jennifer Neil

Ms. Jennifer Jones, resident at Eagle Creek Park expressed an issue with this approval only be for professionals but her biggest problem is just the way this issue has been handled. She believes this item falls within the guidelines of the City Ordinance for a 10 day notice to the public with public input and she does not believe this has been accomplished and in addition there also has to be a public hearing where the public are allowed to comment on facts and opinions. Today they have only had 15 minutes to talk and cannot constitute a public hearing. She believes that the DPR has not followed the proper procedures and is asking that this not be passed.

Chairman Williams replied to Ms. Jones's comment as to this being a public hearing and nor does this require a public hearing to be heard for this as we interpret from the current municipal code that we have. This is a rule making as it relates to Indy Parks generally speaking if we were to create a rule or want to create a rule that would generally open up the park to any and every citizen then yes, we would be bound by City Code to open it up as a public hearing and follow that procedure. What we are proclaiming to do is perfectly legal under what our current municipal code says that we can do as a park board and as a department director. We are not opening this up to the general public as a general rule change. This is a specific activity at a specific time in a specific location. Ms. Jones stated that she disagrees that it is a rule change because it is changing the City ordinance right now that says you have to have permission to allow the discharge of weapons in the parks. She would like corporation counsel address how this is different than the item that was first on the agenda in regards to Indy Cog and how they needed a 10 day notice for that in the park but this one is different.

Corporation Counsel, Doug Kowalski, stated to Chairman Williams that he would be happy to address that. Doug stated that under the City Code the DPR has the general authority to operate and maintain the parks and he believes that the Board has heard that this is not a general hunt for fun or recreational purposes and it is to maintain and control the growth of the parks, and the Code Section 631-111, first, he thinks it is important for the Board to understand that there are two separate issues here, and he believes Ms. Jones probably pointed out that the Board is deciding whether or not to allow the discharge of firearms. The separate issue of a hunt, or to cull the heard is under Section 631-111 the council has already given the authority to the Indy Parks Department and its employees to cull the heard and they also have the authority to invest that power in other through the director of the department and so what we are really talking about here is the discharge of firearms. The Code Section that Ms. Jones is pointing to is 631-204 which would require the hearing and the notice. While one may think that we are changing a regulation, the Code has already defined what a regulation is and that is "a regulation" is defined by the Code to mean the whole or any part of an agency statement of general applicability that is adopted pursuant to authority by an ordinance by the Council or Statute of the State has or is intended to have the authority of law and implements or describes the laws or the policy of the agency." That first sentence requires general applicability and as in the Greenways proposal the hours were generally applicable to everyone for a term of in perpetuity the hours would be set generally speaking and with this item this is not a general statement of the Board. It is specific to the prescribed reason, which would be the deer population by specific people, during specific times and at a specific park. He would agree with Ms. Jones that if we were to allow for the discharge of firearms in Eagle Creek Park generally, then that 631 rules and regulations code would apply and we would have to give notice and we would have to have a

public hearing and it would require that we give a reasonable amount of time for the public to make their comments, but because this is not generally applicable this is specific to the duties of the Parks Department in maintaining and operating the park, and it is given to specific people at a specific time for a specific purpose, that does not meet that requirement and this is why we are not having a public hearing, we are having a public meeting and the Board is offering the public the opportunity to speak because we value your opinion but we are operating under what the Council has already given us the authority to do. Corporation Counsel asked the Board if they have any questions for him. Mr. Wynns stated that what you are saying doesn't impact the general public? It impacts just a specific group to do a specific task for Indy Parks and it is not opening it up for everyone to go hunt or discharge a weapon at Eagle Creek Park. Corporation Counsel replied that "this is correct" and he would like the public to know that this is specifically what we are asking for and we are not asking for the general public be allowed to discharge a firearm and if you do, you will be breaking the law, so that is correct.

Mr. Bowling asked is for the duration of this October 2014 through January 2015 that A & T is able to do this? Chairman Williams replied that this is what we intend to do and if we have to continue on with the management plan then we would of course have to come back and say we need the continuation of this management plan. So again in general applicability as Corporation Counsel has explained, relates to we "as a park agency" is going to open up indiscriminate discharge of weapons in any park in the City of Indianapolis. This wouldn't be any different than any other type of activity that we have with regard to managing our assets, so if we wanted someone to come in and fix an HVAC system, there are certain things that we can do as either a Board or as a park director, to make sure that this work happens, because unfortunately this action is the discharge of a weapon so this is why we have to go down this path.

Corporation Counsel stated that he neglected to mention and as the Board knows, as he already mentioned, the Parks Department already had the authority to cull the heard and this is just for the discharge of firearms in the park and the statute defines "firearms" as a device or weapon, used, or intended to use or be able to be used to project an object by means of explosion and it does not encompass a bow and arrow, rocks, spears, any other less humane way to cull the heard, so the Parks Department already has the ability to cull the heard and they are asking permission to use firearms, which is the most humane way to cull the heard.

Chairman Williams asked Indy staff person, Andy Stephens, to continue to call the public up for their 2 minutes to speak to the Board again.

Continuation of Public Speakers were resumed at this point. (Please see the list of individuals above).

Attorney Arend Abel who represents Mr. Larry Peavler here today, he is his client. He wants to focus a little bit on the legality of this agenda item and he respectfully disagrees with Indy Parks Corporation Counsel. It seems to him that the resolution as stated on the agenda is to authorize the discharge of firearms by anyone that the director of Indy Parks chooses to authorize to do so by contract. This sounds to him that it is either one of 2 things, either it is a general rule which requires the rule making 10 days' notice, public hearing etc., or it is a

delegation of this board's authority to the director and while he is sure the director is a very responsible person, the law puts the authority to allow the discharge of firearms and the circumstances under which they can be discharged, on this board, not in the director. He did ask, and he gave a letter yesterday to Director Williams and Deputy Director, Colvin asking for a copy of the resolution and he guesses that there isn't one other than what is on the agenda, and for a copy of the contracts that have been talked about and he hasn't received any copies of either of these. He doesn't think you can just approve a contract without having any ideas what the conditions under which this hunt will be conducted. Yes they have been described by Deputy Director, Colvin and some folks from DNR and some folks from the Department of Agriculture and that is nice, but it is also not binding in the resolution you are being asked to approve and he thinks you as a Board are doing a general rule and there is also a part of the municipal code which requires approval from the Department of Public Safety for the discharge of a firearm or dangerous weapon, which would include a bow within Marion County.

Corporation Counsel, Doug Kowalski, stated that he would agree that the proposal as written does not meet the standard that he laid out and he asks that it be amended to add that:

1. "individuals authorized by contract with the Indianapolis Department of Parks and Recreation to carry out deer management program" because there needs to be a specific reason included in the language showing why it is being authorized by contract.
2. As to his latter point, Doug believes he is referring to the ordinance 451-2 which says that it should be unlawful to discharge a weapon within the police special service district.

Doug stated that the police special service district was amended he believes last year to include the whole county for taxing purposes and on October 11, 2013, Director Riggs gave notice of approval regarding discharge of firearms that allowed people to discharge firearms in the area excluding the area what previously was the police special firearms district. So, effectively, anyone can still discharge a firearm outside what was the police special firearms district. This is on the Department of Public Safety's website and anyone may look that up if they would like to see it.

The rest of the public who had signed up to speak were again called up to the podium. One person had pictures of property damage that the Chairman asked him to leave with the Board secretary and he did so.

All public individuals who asked to speak have done so. Chairman Williams stated that before we vote on this item there will be discussion statements from the members of the Board. Chairman Williams stated that he would say as Doug mentioned just a minute ago that we will be amending the wording of Agenda Item #30, 2014 and he asked Doug to repeat recommended language amendment.

Doug read the amended language of the Agenda Item #30, 2014: "Approval by the Board of Parks and Recreation to adopt a resolution allowing for the discharge of firearms by individuals authorized "By Contract" to carry out a deer management program with the

Indianapolis Department of Parks and Recreation at Eagle Creek Park as permitted in Municipal Ordinance 631-108. (Discharging Firearms).”

Board member Valentine stated thanked Chairman Williams for allowing the public to speak and thank you to everyone who came to speak and express their feelings on this agenda item and she appreciated their comments.

Chairman Williams asked if the Board had any other questions. Mr. Bowling stated that most of his questions are really more in line with A & T Wildlife Management so he could wait until we get to that proposal but the answers to his questions he has regarding A & T Wildlife Management would determine his decision on the proposal and his vote. He asked the Chairman how to proceed. Chairman Williams stated that as a point of order, he asked Corporation Counsel if we need to vote on this particular item or can we hear the next item and then vote individually on the two items.

Corporation Counsel replied he believes we can hear the next proposal and vote on this one later and again, he just wants to point out that this agenda item vote is not whether or not to kill the deer, it is solely for the discharge of firearms within Eagle Creek Park for the specific purpose of the deer management program and as was described earlier even if you were to sterilize the deer you would need to use a tranquilizer gun which would be considered a firearm to get to that step as well and he just wanted to make sure that the Board understands that these are separate promotions and with that he believes you can take the next item and vote on them individually.

Mr. Wynns asked if there is any other way to remove the deer besides a firearm, such as a bow and arrow. Is a bow and arrow considered a weapon? Corporation Counsel replied that a bow and arrow is considered a weapon, however, the ordinance speaks to firearms. And a firearm would be defined as... corporation counsel searched for this definition... Corporation Counsel stated that a bow and arrow is a firearm and there is a separate rule and he found it “631-118 (Dangerous Sport Activities), this would cover a bow and arrow and that doesn’t require Board action though and can be action taken by the DPR via their director and so long as it is for this specific purpose he could allow a bow and arrow as well since it doesn’t require Parks Board action.

Chairman Williams asked if there were any other questions regarding that. If not, he just wants to make a couple of comments before we go to the next item. It was said that what we are looking at doing is not humane or inhumane and he would contend that letting the deer stay in the state that they are in is inhumane so he respectfully disagree with those individuals who may believe that using a firearm to cull the deer is inhumane. Chairman Williams stated that he is a hunter, not a deer hunter, but he has hunted before and he has family members that are avid hunters and those who use weaponry to hunt deer, especially these individuals who are well trained as marksmen, 99% of the time, or a great majority of the time, when you see the deer hit by the projectile they are going down immediately. They are not wondering through the forest and you can turn on any television station and watch these professional hunters using weaponry and you will see when the weaponry is discharged a great majority of the time, and he is not saying that it happens 100% of the time, but there are things they do to make sure that if a deer were to be wounded, the contract stipulates that they will cease their activity until they find that deer. So, as much as

we can, are looking at what is the greatest opportunity for the parks department and considering the limited resources that we have, we are operating in an environment where there is scarcity of public dollars to do the things we are inspiring to do. What we do know and this is what we have been working on is what the cost is to do certain activities and we know that those costs can escalate and we understand this. What we don't know is, and he respectfully disagree with the Humane Society and he is glad that that individual was here to speak because this is the first since he has been on this Parks Department where another, what he would consider credible, organization has stood up and had a legitimate position to what it is that we are trying to do. We don't discount that. We actually have looked at the whole contraceptive issue and the question there is that there are so many unknowns as demonstrated through the questions that he has asked the young lady here representing the Humane Society. There are so many unknowns surrounded by this and as we have looked at this the question arises how we can put a cost on this. We are confident that in the presence of scarcity, we are doing the best that we can to manage the asset to the best of our ability and as we move along to continually manage the property; sterilization certainly will be part of the discussion. We also understand that if we continue to mitigate the safety concerns that are out there we owe it to our public to do so.

With regard to the public process, he loves government. He loves his country. He is a veteran and he would contend that we live in the greatest country on earth. He has been to Europe, he has lived in Europe and he can say from his experience that we live in a country that gives us all the opportunities to participate in the decision making process. He knows that he has been criticized for not allowing individuals to participate. He would contend that through our normal process as it relates to how these regulations, municipal codes, state statutes have come about, they have come about through a process created prior to his arrival to the City, and that process has resulted in giving the Parks Department certain powers. As it has been stated earlier, there have been a number of years in which previous park directors, whomever, have looked at this issue and have not done anything to address it. He can't sit back idly and go from, in our opinion "a gem of a park" become a park that is so degraded that it would take decades to recapture what you, who really have an untrained eye like himself, view as a pristine park. Like the gentlemen stated earlier, he needed convincing. He was on the fence too and needed convincing by the professionals to say why do we have this problem and what do we need to do to address it. The scientific data that we have at our disposal is enough for him to say yes, we don't have a count, and in a perfect world, maybe we obtain a count, and we are not in a perfect world and we don't have all the resources to do that. So again, going back to the question of scarcity as far as resources go, we have to do what is most expedient for the long term health and the short term allocation we have with regard to how we manage our park asset.

Again, the City County Council Parks Committee has granted the Parks Board through ordinance the responsibility to manage the park and as we have discussed before the Board has the right to decide whether or not a weapon would be discharged in the park and the Director has the right to decide whether or not animals would be molested or killed as the ordinance depicts. He appreciates the public discourse. It is good for each and every one of us but he would have to say that as we move forward, as one gentleman stated we need to look into all the possible avenues we have with the science and technology opportunities are there and to take our hearts out of the equation because we need to make a decision on

what it is we need to do to make sure of the long term health of the forest is going to be looked at for futures to come.

With that, Chairman Williams asked Mr. Colvin back to the podium to present Agenda Item #31, 2014 to the Board.

3. Agenda Item #31, 2014 - The Resource Development staff are recommending that the Board of Parks and Recreation for the Consolidated City of Indianapolis, Indiana approve the award of the Professional Services Agreement with A & T Wildlife Management Services in the lump sum amount of \$26,500.00 to minimize the effects of resident white-tailed deer at Eagle Creek Park on plants, wildlife habitats and residential properties while restoring the biodiversity of a damaged ecosystem.

Don stated that A & T Wildlife Management Services shall implement several services of the Eagle Creek Park wildlife management program that includes the use of veterans and unequivocally supervised methods guaranteeing the safety of both the public at large and the participants. A & T Wildlife Management Services shall be responsible for the removal of all culled deer. The dressing and processing of the harvested deer shall occur off the Indy Parks property. All meat will be distributed back to the hunt participants and/or donated for human consumption as appropriate to venison donation programs with the intent to keep the work and the donated venison within Marion County whereas practical. A & T Wildlife Management Services shall be responsible for the working with staff to establish the monitored areas to assess the damage being done by the whitetail deer and measure success of the reduction efforts. Staff shall identify locations of test sites where the contractor can install temporary deer proof fencing to protect the testing plots. The effects of the deer should be observed of the protected sites as compared to the unprotected sites. This would be an excellent public education exhibit in the park and all collected data shall be made available to the Eagle Creek Park managers. A & T will work closely with the USDA and the next contract that is going to speak is actually going to develop the management program and the two contractors will work closely on each element of that and as it was discussed today, after the first initial phase of this there will be an evaluation of the success and there will be monitoring stations set up. Don stated that he could bring Tim back up and he could speak to the Board about specific details but as he mentioned earlier with his experience in this he has years and years of experience and is highly professional deer hunts on managed sites.

Chairman Williams stated that before we move forward he would like to go ahead and take the next Agenda Item #32 because it is another agency. Chairman Williams asked the Board secretary to go ahead and read that Agenda Item please and as Doug had mentioned before we will vote individually on these particular items but he wants to go ahead and get this agenda item out so if we have any discussion from the Board we can holistically look at it.

4. Agenda Item #32, 2014 - The Resource Development staff are recommending that the Board of Parks and Recreation for the Consolidated City of Indianapolis, Indiana approve the award of the Professional Services Agreement with United States Department of Agriculture in the lump sum amount of \$35,343.00 to minimize the effects of resident

white-tailed deer at Eagle Creek on plants, wildlife habitats and residential properties while restoring the biodiversity of a damaged ecosystem.

Mr. Colvin stated that the project description on this USDA contract will manage the effects of the residential white-tailed deer on plants, wildlife habitats and residential properties at Eagle Creek Park using several wildlife management methodologies to bring the current impact of resident deer into balance with the caring capacity and the desired species diversity of the park. The initial deer reduction program activities shall occur sometimes during the months of October 2014 through January 2015. The following core methods shall be implemented in addition to other IDNR approved protocols. This holds true for A & T Wildlife Management Services as well:

1. A written long-term management plan shall define goals and establish protocols to ensure safety and efficiency in the white-tail deer management actions over a period of years.
2. The development and implantation of a safety management plan that ensures complete control over all points of entry surrounding residential properties and public transportation corridors selection of highly trained professional staff and applying the most humane technique for the reducing of impact to deer on the biodiversity of the park.
3. Implement a comprehensive deer reduction program using professional marksmen for deer removal utilizing, if needed bate station, trail cameras, tree stands to determine deer movements and set up management sites and to ensure the safest situation for the use of firearms.
4. Annually monitor deer activity and habitat recovery in Eagle Creek Park in order to determine the effectiveness of the deer management program and to coordinate with the park representatives to determine the future management needs.

The deer management program will be adjusted each year to reflect the benefits received from the previous years or the response to the habitats and the biodiversity out there. So, both contractors have responsibilities for monitoring the Eagle Creek Park and the environments and looking at the deer, the heard, and the impact. We do have representatives from both USDA and A & T Wildlife Management Services still here to answer any questions the Board may have.

Chairman Williams asked if there were any questions from the Board members. He reminded Jose of the question he may have had earlier. Josh responded that yes, he has a few questions. Josh asked a general question first, which he alluded to earlier, what the Board is approving here today would only allow firearm discharge and the culling of deer within the parameters of October 2014 through January 2015th, is this correct? Chairman Williams answered "yes", that is correct. Josh then asked, hopefully not, but if there is a situation in the future where we would have to do this process again, it would still have to come before the Board for approval? Chairman Williams answered "yes" that is correct because the approval for the discharge of weaponry discharge in the park is for a specific time and a specific place and for a specific activity so we would have to go through this

process again. Josh then stated that we mentioned that we don't really have accurate estimates of what the deer population looks like at Eagle Creek Park. Chairman Williams answered "that is correct". Anecdotally, we know that people who have gone through the park have counted "x" number of deer but as it relates to why we want to go down this path, it really is about the overall science and looking at the browse line and looking at the biodiversity within the park. This is the overriding reason why we believe that there is a problem with overpopulation of white-tail deer in the park.

Ms. Valentine stated that this may go back to one of the DNR representatives again but she asked when the State parks embarked on this back in 1993 for the first time, did the state have accurate counts or is this approach that we would be taking typical in terms of using an assessment beyond an exact count, is this an acceptable standard in which to operate?

Chad answered Ms. Valentine stating "yes" when they initiated the park count questions did come up and the determination was that the focus was on the habitat, not the number of deer and we know that there was no chance that you would eliminate all the deer from a certain area. You get diminishing returns with the more you remove and eventually the effort to remove one deer outweighs the necessity to remove that deer. So, he is kind of an analogy guy, and he is not necessary having the best analogies but if you have a bobbing for apples and you have a bucket $\frac{1}{2}$ full of water and you put in enough apples in, you can pretty much go in and grab one apple every time due to the abundance of apples to water. As you start removing apples, they start floating and it becomes much harder to remove those apples until you get to the point where it is extremely difficult, and this is the point where you are basically trying to get to with a deer herd where it is very difficult. When it comes to state parks they have a metric that is included with hunter per effort or hunter per success, and once it drops below a certain success level that means it is too hard to get those deer removed and at this point they generally stop hunting that park for the following year. We can set it up for a maintenance phase and then we can institute it again if the success rate goes back up they will hold off for another year or two and it eventually goes back down. You don't drop a deer herd to a certain point and keep it flat. There are always little elevations that go up and down but certainly the intensity of that program management lessons the more you are involved and the further along with the process you get.

Ms. Valentine stated that the assumption she is making that the State deer management program doesn't have a number from 1993, it doesn't have a number for 1994, we don't count specifically with each park, this is how many deer we have, this is how many we want to have, we base it factoring in the habitat and other factors. Chad answered; "yes" we do not rely on a count. A count is helpful and it has the most value as you see something that is repeated year after year, after year. It is another data point that you can look at and measure success, but it is not the only data point, this is why they look at vegetation.

Mr. Wynns asked "how many deer are we removing"? 20-30-40-50? Don Colvin answered Mr. Wynns by stating that again, as Chad had mentioned, and Tim can speak to and others have stated, it really is the deer management program problem with diminishing return so you could go in you may say your goal is 50 deer, at a certain point the deer are not corralled when you are in a location where you can actually remove the deer. Mr. Wynns stated that these 2 contractors do not know how many deer they are going to take out? Mr. Colvin stated that again, getting the exact numbers in this area of wildlife management is concerned

is very difficult and very challenging and we are trying to remove enough and like Chad was mentioning if you are in a particular area where they are having defined shoot. They are not randomly going throughout the park taking out deer. There will be a very defined area and when the population of deer no longer comes into those areas then that park culling is over. This is not going to be continuous activity during this hunt in other areas of the park until you get to a certain number. This is why the deer management program is so strategic and why A & T and USDA are working so closely together and continually taking advisement from DNR and biologists and nature preserves have been involved for guidance and certain guidelines that have to be followed with nature preserves and notification of various techniques that have been chosen for the management plan and definitely have to obtain special permission from DNR to use those techniques and so it is a very comprehensive team initiative that DNR will be providing guidance on. Again, he doesn't have a specific number. We do not have a definitive number.

Mr. Wynns again stated that compared to the number of acres of land at Eagle Creek Park there is not a specific number of deer they will be taking out. Don referred to the professionals to answer Mr. Wynns question possibly from their past experiences. The USDA spokesperson stated that as previously stated they do not set a target number of deer as with the diminishing return that you do get while doing a deer removal. The cost is more of an "up to" a certain amount of deer. You are not actually going to meet that number of deer, and you are not going to exceed a certain amount of deer removal and it is within their time constraints or other constraints that they have to remove the number of deer that they have option to remove. Mr. Wynns stated that the only reason he asked this is because when you come up with a charge of \$26,500 and another figure of \$35,343 you have to have some basis of pay, is that one deer, he wants to know how you come up with a fee to charge to do this service and you don't have any idea of how many deer you are going to take out. The USDA representative replied that this fee is determined by a certain amount of time for associated with the removal activities services. Leading up to and actually going through with the deer reduction plan. The chance of it being just 2 deer is highly unlikely.

Chairman Williams asked if the Board has any other questions. Mr. Colvin stated that there is a lot of logistics going into these contracts. These contractors are totally responsible for safety, locking down the park. Staff is not participating in this culling. These contractors will bring in their professional staff to assist them in making sure of their procedures. They have to hire the public safety officers to make sure that the gates are closed, that people are not coming into the park during this culling and make sure the areas where the culling activity takes place is secure, the logistics of tracking the deer and making sure that this is going to be effective. It is just not shoring up one evening and then going home the next day. There is a lot of logistics tied into this process. Kind of like a design plan there are a lot of stuff you don't see happening to get to that number, but you end up with a product and then a deer management plan is a professional management document that does again take a lot of research and implantation to put together.

Mr. Wynns stated that he understands that Don, but as a Board, we are talking about approving a total of \$61, 843.00 from a department with already having a very tight budget. You may have that number, but as a Board we do not have any of that information and he doesn't want to prolong the meeting but if this comes back again you just can't ask me as a Board member to approve a \$61,000.00 fee for deer removal and he doesn't have any

breakdown of the costs, staff costs, none of this. He stated that they are approving something here in the dark and he doesn't want to put anybody on the spot but he is just saying they have to have a little more detail when you are spending this kind of money and not even know how many deer and what the cost is going to be. You are just throwing a number at us like that, and this has him a little leery. He is not saying it is a bad idea. He is just stating that as a Board they have a little more detail when you are spending this kind of taxpayer's money and know what the details are. We don't have any of the internal costs information. Don stated that it is the responsibility of the staff as they develop the contract to outline the deliverables and the percent of the completion of the project and like when we do a park master plan this comes back as a contract. The contractors are welcome to speak on what they believe how many hours they would spend, that is all in a proposal etc. Don has not put this into a contract form yet.

Ms. Valentine stated that she would suggest from her short time as a Board member the process has always been that the Board would approve other contracts with similar amount of information and trusting that the staff and empowering the staff to execute those contracts. Mr. Colvin stated that traditionally the Board has not required to see the contracts prior to their approving the dollars to be spent. Mr. Wynns stated that he understands but this is not a traditional contract. This is probably something that we are doing for the first time. On other contracts, they are a traditional contract.

Chairman Williams interjected by stating that because it is, you are absolutely right, this is a different scenario, we have to look at, and Don has done this, look at what similar activities have happened. So, in Bloomington, Indiana, he believes it was \$31,000 is what they contracted for this type of activity. Our pricing is in line with what the industry says it should be. With regard to how many deer are culled that is unfortunately an unknown. Until they have a baseline in which to operate, and they can't say, well, we took out 20 deer in Bloomington so we should take out 20 deer in the same size community in Indianapolis. They can't necessary say that. We have to, to a certain extent; because this is the first time, get ourselves to a point of having a baseline and then the management program will follow from that point forward. But, as far as the pricing is concerned, we are in line with what other communities paid for this type of activity using these types of services.

Chairman Williams acknowledged Josh to speak. Mr. Bowling stated that he has heard a lot of comments about A & T Wildlife Management will be using to do the hunts. He heard some people presenting experts, he heard some people say use of veterans, he would never say that our veterans are not experts at things, he just doesn't know if hunting deer is their form of expertise, so, can he just hear from someone from A & T Deer Management Services state who we are using and are these experts?

Tim from A & T Wildlife Management Services stated that this is one of them unknowns. This is their plan and this is the way they are going with it, they have contacted Wounded Warriors Outdoors, you guys need to understand that these are more than veterans; these people are coming from 4 major hospitals around the country as part of their therapy. This is not just a recreation for them. They are including them as part of the plan for a lot of good reasons but not because they are expert deer killers, but because they are veterans and they are part of a program and this can help that program. Along with those veterans the people that will be helping on his staff they have ballistics experts who are working up loads

of fragmenting bullets that can't ricochet. They are loaded down sub-sonically to reduce noise and they are completely re-engineering the rounds they will be using. The Veterans they will be using, of which he hopes to be using local Marion County veterans to supplement the wounded warriors. Those people will all be tested and approved of their proficiency. Nobody shoots a gun on his staff without expert in measurement. He shoots every day inside of buildings. This is not something that they do as a hobby. It is not for fun and sport. Missing is not an option. There are proficiency tests done at two different ranges. He can't speak specifically and they are working that roundup now and don't even know if they can use it because they will have to also follow DNR hunting rules. They are not the best rules to use when you want numbers. There are a lot of last minute details and this is why he said his plan has a 20% margin in it. He may have to go out and buy and equip all the shooters with a special gun. There is money within the contract for these possible changes. They will be shooting under a special shooting control permit and follow all of Indiana deer hunting rules. Again, also, in respect to numbers, every deer shot has to have a license purchased, where a sharpshooting program they don't require individual licenses, it is under the permit. Every shooter, these guys are going to spend out of state, \$100 bucks as part of their therapy to buy that license. Local guys will be able to buy bundles and they can use re-licenses. His limit is 11.

Ms. Valentine asked if he has used the veterans groups before. They plan to use Wounded Warrior Outdoors as their base veteran group facilitating however we need and with whomever they need if they have helpers they all will operate under the licensing rules, they will all be licensed. He will have a staff of at least 10 and he anticipates 500 man hours to execute this plan.

Chairman Williams asked if there were any other questions from the Board members. There were none.

A motion was duly made by Ms. Valentine, seconded by Mr. Bowling, and unanimously passed to approve Agenda Item #30, 2014 (as amended).

A motion was duly made by Ms. Valentine, seconded by Mr. Wynns, and unanimously passed to approve Agenda Item #31, 2014.

A motion was duly made by Ms. Valentine, seconded by Mr. Bowling, and unanimously passed to approve Agenda Item #32, 2014.

Chairman Williams thanked the Board for their service and stated that if there isn't anything else that the Board members have to bring up as a comment or a question he would move for adjournment.

Presentations

- No Presentation

Adjournment

A motion was duly made by Chairman Williams for adjournment, seconded by Mr. Wynns, and unanimously passed to adjourn.

The next Board of Parks and Recreation meeting is scheduled for Thursday, January 22, 2015, at 3:45 p.m. to 5:00 p.m. at the City County Building, Room 260, 200 East Washington Street, Indianapolis, Indiana 46204

SUBMITTED:

Louvenia Holstein, Board Secretary

APPROVED:

John W. Williams, Chairman
Board of Parks and Recreation

Date